



WILLIAMS MULLEN

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July 7, 2006

**ELECTRONICALLY FILED VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: **MB Docket No. 03-15**  
Television Station WNKY-DT, Bowling Green, Kentucky, (Facility Id. No. 61217), Request for Temporary Waiver of July 1, 2006 Interference Protection Deadline

Dear Ms. Dortch:

On behalf of MMK License LLC (FRN: 0008572927) ("MMK"), the licensee of television broadcasting station WNKY-DT, Bowling Green, Kentucky, we hereby request a temporary waiver of the July 1, 2006 "use-it-or-lose-it" interference protection deadline in accordance with the procedures set forth in FCC Public Notice DA 06-1255, released June 14, 2006.

WNKY-DT is authorized to operate on Channel 16. WNKY-DT elected maximization coverage on Channel 16 for post-transition operation. Effective July 1, 2006, WNKY-DT was obligated to construct and operate at 1000 kW with an antenna at 176 meters HAAT. Currently, WNKY-DT is operating pursuant to Special Temporary Authority at 1.77 kW with an antenna at 151 meters HAAT (see File No. BEDSTA-20060523ADD). This facility provides coverage to 76% of the replication population.

MMK's DTV maximization construction plans were adversely affected by unforeseeable circumstances beyond its control. MMK made its certification for maximization coverage in good faith reliance upon a cost estimate provided by its consulting engineer. See Exhibit A. After the initial cost estimate, MMK discovered that the existing tower could not accommodate both the NTSC and DTV antennas. Subsequent adjustments to the cost estimates, including the cost of a new tower, were extraordinary.

MMK is committed to the construction of robust DTV facilities to serve its audience, and will file an application for modification of DTV authorization for its DTV

*A Professional Corporation*

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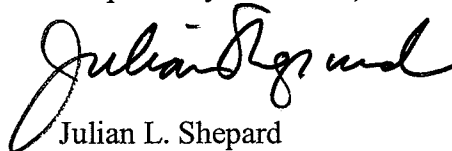
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facilities as soon as the uncertainties regarding the tower situation are resolved. The limitations of the existing tower were unknown to MMK at the time of its election and certification, and impossible to predict. MMK has acted diligently to adjust its construction plans to complete the construction project quickly. Additional details of MMK's current construction plan are set forth in the attached Declaration of Charles C. Stanton (Exhibit A).

Accordingly, temporary waiver of the DTV interference-protection deadline is warranted and in the public interest. Unforeseeable circumstances affected the licensee's construction plans. MMK respectfully requests a temporary waiver to continue full interference protection of its maximization coverage until construction is completed.

Respectfully submitted,



Julian L. Shepard

cc: Shaun Maher (via e-mail)  
Attachment: Exhibit A (Declaration of Charles C. Stanton)

**DECLARATION OF CHARLES C. STANTON**

Under penalty of perjury I, Charles C. Stanton, of Stancom, 4401 Leatherwood Drive, Virginia Beach, Virginia 23462, hereby declare that:

1. I am a Consulting Engineer who has over 40 years of experience in the design, procurement, installation and testing of Broadcast and other Telecommunications systems around the world. Further, over the past fourteen years I have consulted with and have designed, procured, installed and tested multiple new and upgraded TV and FM broadcast facilities for the principals of Max Media LLC ("Max Media"). Further, I have personal knowledge (except where noted) of the following facts concerning the construction of digital television facilities for MMK License LLC, a subsidiary of Max Media, the licensee of full power television station WNKY(TV), located in Bowling Green, Kentucky:

2. WNKY(TV) is currently licensed to operate on NTSC Channel 40, and WNKY-DT has been licensed to operate on DTV Channel 16.

3. WNKY-DT elected maximization coverage on Channel 16 for its post DTV operation.

4. The WNKY-DT construction permit requires construction of full, authorized DTV facilities by the July 1, 2006 "use-it-or-lose-it" construction deadline in order to maintain the interference protection in the current DTV Table of Allotments.

5. The WNKY-DT construction permit authorizes the construction of a 1000 kW facility with an antenna height above average terrain ("HAAT") of 176 meters (BMPCDT-20041105AZO). WNKY-DT, pursuant to Special Temporary Authority ("STA"), is currently broadcasting at 1.77 kW with an antenna HAAT of 151 meters (BEDSTA-20060523ADD).

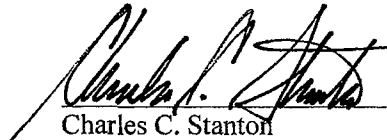
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6. Based on an analysis provided by Communications Technologies, Inc., P.O. Box 1130, Marlton, NJ 08053, the WNKY-DT STA signal completely covers its community of license and provides coverage to 76% of its replication population.

7. The original cost estimate I provided to the licensee assumed that WNKY-DT would be able to use its existing tower for its DTV facilities. However, upon further analysis it was determined that the existing tower was not adequate for a separate full power NTSC antenna and a second full power DTV antenna. Therefore, we have started the development of this site as a full power DTV station. We plan to change out the existing NTSC full power antenna, and replace it with a broadband antenna of the same general size and loading, that will allow transmission of both the NTSC and DTV full power stations. This design will also require a new 6-1/8" feedline system and a new full power DTV transmitter. Final designs for this system are being reviewed at this time.

8. We plan to have this system up and operating by July 2007.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 7, 2006.



Charles C. Stanton